

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FIVE

EDWARD REIDY, as Trustee, etc.,

Plaintiff and Respondent,

v.

A105780

**CITY AND COUNTY OF SAN
FRANCISCO et al.,**

**(San Francisco County
Super. Ct. No. 503-607)**

Defendants and Appellants.

ORDER MODIFYING OPINION AND DENYING REHEARING

BY THE COURT:

The opinion in the above-entitled matter filed on October 26, 2004, is modified as follows:

1. On page 1, first paragraph, fifth sentence, the abbreviation “(HCO)” is added at the end of “Hotel Conversion and Demolition Ordinance” so the sentence reads:

“The City and County of San Francisco (City) appeals a judgment granting the petition for writ of mandate by which respondent Edward Reidy, as trustee of the Olga Eugenia Lindemood Testamentary Trust (Trust), sought an order directing the City to expunge all notices recorded against three hotels owned by the Trust that referred to the City’s Hotel Conversion and Demolition Ordinance (HCO) and/or Residential Hotel Sprinkler Ordinance.”

2. On page 2, third paragraph, second sentence, the phrase “the Hotel Conversion and Demolition Ordinance (HCO)” is changed to “the City’s Residential Rent Stabilization and Arbitration Ordinance” so the sentence reads:

“The Ellis Act and the City’s Residential Rent Stabilization and Arbitration Ordinance require a property owner to give tenants 120 days notice of the termination of their tenancy.”

This modification does not change the judgment.

The City’s petition for rehearing is denied.

Dated _____ P.J.

Trial court:

San Francisco Superior Court

Trial judge:

Hon. James L. Warren

Counsel for plaintiff
and respondent:

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